

## **REMARKS**

Claims 1-13 and 21-28 were pending and presented for examination in this application. In an Office Action dated April 19, 2007, claims 1-13 and 21-28 were rejected. Applicant thanks Examiner for examination of the claims pending in this application and addresses Examiner's comments below.

Applicant is canceling claims 2, 8, and 23 without prejudice in this Amendment and Response. Applicant is amending claims 1, 7, 21, 22, and 28 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested.

In view of the Amendments herein and the Remarks that follow, Applicant respectfully requests that Examiner reconsider all outstanding objections and rejections, and withdraw them.

### **Response to Rejection Under 35 USC 102(b)**

In the 2nd and 3rd paragraphs of the Office Action, Examiner rejects claims 1-13 and 21-28 under 35 USC § 102(b) as allegedly being anticipated by Getting Started with RealPublisher, Version 5.1 (Software Manual, 12-2-1998) ("RealPublisher"). Applicant respectfully traverses this rejection as applied to the amended claims.

Representative claim 1, as amended, now recites:

A method of inserting and integrating video data into an existing streaming web page or email over a communication network, the method comprising:  
selecting a transaction for implementing video enabling services into the existing web page or email hosted by a third party;  
transmitting a digital form for a user to complete on a user computing device to a user on a user computing device a digital form;  
receiving a completed digital form;

requesting the video enabling services to load a browser plug-in on the user computing device in response to receiving the completed digital form, the browser plug-in configured for video data recording; receiving the video data recorded by the browser plug-in to a media vault; storing a video token into a database in response to the received video data, the video token associated with the video data in the media vault and indicating the video data is associated with the web page or email of the third party displaying the video data.

As now presented, representative claim 1 recites a way to stream video data over a communication network for selecting and inserting the streaming data into a web page or email hosted by a third party. Upon the selection to implement video enabling services into a web page or email hosted by a third party, the user is presented with a digital form to complete on a user's computing device. Upon completion of the form a browser plug-in is used and configured for video data recording on the user's computing device. The recorded video data is transmitted to a media vault. A video token is stored in a database. The video token is associated to the video data in the media vault and indicates the video data is associated to the web page or email that displays the video data. Thus, the claimed invention beneficially provides a cost effective way of efficiently integrating video into an existing web page or email hosted by a third party.

Applicant respectfully submits that RealPublisher fails to disclose the claimed element "implementing video enabling services into the existing web page or email hosted by a third party". RealPublisher discloses adding streaming media to a website a user creates, and publishing the newly created website, but at no time does RealPublisher disclose adding streaming media to an existing web page hosted by a third party. On pages 27-30, RealPublisher gives instructions for using a Web Page Wizard to "automatically create a Web page that contains your recorded RealMedia file." Further, on pages 31-34,

RealPublisher discusses a Publish to Server Wizard that “leads you through a series of prompts to help you specify the type of server and directory where you will upload your page.” At no point does RealPublisher disclose adding video data to an exiting web page hosted by a third party.

Thus, claim 1 is patentable over RealPublisher. Independent claims 7 and 22 recite similarly to claim 1 and are also patentable over RealPublisher for at least the same reasons.

**Response to Rejection Under 35 USC 103(a) in View of Chadda and Gupta**

In the 4th and 5th paragraphs of the Office Action, Examiner rejects claims 1-13 and 21-28 under 35 USC § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,173,317 (“Chadda”) in view of U.S. Patent No. 6,956,593 (“Gupta”). This rejection is respectfully traversed.

The cited references, considered individually or together, do not teach or suggest the claimed element of “implementing video enabling services into the existing web page or email hosted by a third party” as recited by claim 1. Chaddha describes a method of creating video and annotation streams, which are stored in remote servers and upon request the video and annotation streams can be streamed to a client computer. In the Summary section, Chaddha describes the method of creating the annotation stream. The annotation stream includes annotation frames, each annotation frame contains either pointers to an event of interest (e.g., URL address pointing to HTML web page) or includes displayable data (e.g. ticker tape data). Additionally, every annotation frame includes an event time marker, which corresponds to a time stamp where the annotation is associated in the video/audio stream. (Chaddha, Col. 2, lines 47-57). The video stream and annotation stream are both stored in a stream server. Upon request, the video stream and the annotation stream are provided by the

stream server to the client computer in a manner in which the video frames of the video stream plays synchronously with the appropriate annotation frames in a video window. (Chaddha Col. 2, lines 62-66).

Thus, Chaddha mentions streaming a video from a stream server to a client computer, but never discloses integrating a video into an existing web page or email hosted by a third party and displaying the video on the exiting web page or email. Chaddha discloses an annotation frame with a pointer to an html page, but at no point discloses being able to display the video from the stream server on an exiting web page or email.

Gupta does not remedy the deficiencies of Chaddha. Gupta discloses a system that assists a user in identifying where in time to associate a new annotation to media content and provides a user interface to facilitate in the creation of the annotation. Gupta discloses emailing a newly created annotation to a specific email address. (Gupta, Col. 13, lines 17-24). However, Gupta at no time discloses integrating a video to an email and being able to display the video in the email. Gupta further discloses the use of a user interface module in order to be able to display an annotation interface on a web browser. (Gupta, Col. 6, lines 35-38). Additionally, Gupta discloses using the web browser to select and present certain media streams from a server in order to add annotations using the annotation interface. (Gupta, Col. 6, lines 39-46). However, Gupta does not disclose integrating video data into an existing web page hosted by a third party and associating the web page with the video data as is claimed. Instead, Gupta uses a web browser as an annotation interface, and is able to select a video to stream from a plurality of videos in a server in order to add annotations.

Nor would the combination of Chaddha and Gupta disclose the claimed invention. Assuming, *arguendo*, the references could be combined it would render a web browser used

as a user interface that assists a user in creating an annotation stream associated to a video stream, where both streams are stored in a remote server, which is not claimed. That is the combination of Chaddha and Gupta fails to disclose at the least the claimed feature of “implementing video enabling services into the existing web page or email hosted by a third party”.

### **Conclusion**

In sum, Applicant respectfully submits that claims 1, 3-7, 9-13, 21, 22, and 24-28, as presented herein, are patentably distinguishable over the cited references (including references cited, but not applied). Therefore, Applicant requests reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicant respectfully invites Examiner to contact Applicant’s representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,  
GEORGES AUBERGER

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